

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE ACTING CHIEF JUSTICE MR.J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE P.BHAVADASAN

TUESDAY, THE 10TH FEBRUARY 2009 / 21ST MAGHA 1930

WA.No. 652 of 1998(A)

(THE JUDGMENT IN O.P. NO. 20873/1997 OF THIS HON'BLE COURT DTD. 8/12/97)

APPELLANT/ PETITIONER:

P.M. BHARGAVI, D/O. CHANDUKKUTTY,
"VRINDAVAN", STATE BANK COLONY ROAD,
P.O. KUTHIRAVATTOM, KOZHIKODE -16.

BY ADV. MR.KODOTH PUSHPARAJAN.

RESPONDENTS/ RESPONDENTS:

1. THE STATE OF KERALA, REPRESENTED BY
THE CHIEF SECRETARY, SECRETARIATE,
THIRUVANANTHAPURAM.
2. THE KOZHIKODE CORPORATION,
REPRESENTED BY THE SECRETARY,
KOZHIKODE.
3. THE CALICUT DEVELOPMENT AUTHORITY,
REPRESENTED BY THE SECRETARY,
CALICUT.

R1 BY GOVERNMENT PLEADER SMT. K. MEERA.

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION
ON 10/02/2009, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

prv.

J.B.KOSHY, Ag.C.J. & P.BHAVADASAN, J.

W.A.No.652 of 1998

Dated 10th February, 2009

JUDGMENT

Koshy, Ag.C.J.

Appellant/petitioner filed an appeal for exemption from the Building Rules and for granting permission to put up a construction in her property. That was rejected by the Government. Learned Judge after considering the contentions found that the rejection was correct on the basis of the circumstances existing at that time when Ext.P6 order was passed. It is now submitted that the land was again sold to another person and considering the circumstances therein that person was granted permission. Since the land was sold, the appeal has become infructuous.

The appeal is dismissed.

**J.B.KOSHY
ACTING CHIEF JUSTICE**

**P.BHAVADASAN
JUDGE**

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